

Sec. 21-85. Same—Compensation of county.

The county shall be compensated for services rendered in connection with the levy, collection and enforcement of the charges herein for the city, in an amount to be fixed by agreement between the board of supervisors and the city council of the city. The compensation shall not exceed one per cent of all money collected. The compensation shall be paid into the salary fund.

(Code 1961, § 22.40)

Sec. 21-86. Same—Use of revenues.

Revenues derived under this article shall be used only for the acquisition, construction or reconstruction, maintenance and operation of sanitation or sewerage facilities of the city and to repay principal and interest on bonds issued for the construction of such sanitary or sewerage facilities and to repay federal, state, county or other loans or advances made to the city for the construction or reconstruction of sanitary or sanitary or sewerage facilities; provided, however, that such revenue shall not be used for the acquisition or construction of new local street sewers or laterals, as distinguished from main trunk, interceptor and outfall sewers.

(Code 1961, § 22.41)

Sec. 21-87. Disconnection upon delinquency.

Premises as to which charges under this article have become delinquent shall be disconnected. The person in charge of the sewer system shall estimate the cost of disconnection of such premises from the enterprise and the cost of reconnecting it thereto, and such user shall deposit the cost as estimated of disconnection and reconnection before such premises are reconnected to the sewer system. The amount of the cost of disconnection and reconnection over the deposit shall constitute a charge and be collected as such. The amount of the deposit not used shall be repaid or applied as a deposit.

(Code 1961, § 22.43)

Sec. 21-88. Procedures declared alternative.

The procedures provided in sections 21-56 to 21-86 are alternative to each other. The separate procedures under sections 21-56 to 21-69 are alternate to each other.

(Code 1961, § 22.45)

Sec. 21-89. Provisions declared cumulative.

The procedures provided in sections 21-56 to 21-86 are cumulative with each other. More than one or all thereof may be utilized at the same time as to the same charges.

(Code 1961, § 22.46)

Sec. 21-90. Provisions supplemented to each other.

The procedures provided in sections 21-56 to 21-86 are supplemental to each other.

(Code 1961, § 22.47)

Sec. 21-91. Provisions nonexclusive.

The procedures provided in this article are not exclusive. Notwithstanding any provisions herein, the city may utilize any procedures provided in any law or which are a legal incident to its powers, and any remedy in laws or in equity, to collect the charges and penalties.

(Code 1961, § 22.48)

Sec. 21-92. Purpose of article.

It is the intention of this article that there shall be available to the city all procedures, that they shall be diligently exercised and that all charges and the penalties thereon or other charges incident thereto shall be promptly and effectively collected.

(Code 1961, § 22.49)

Sec. 21-93. Schedule of charges.

Sewer service charges shall be as follows:

Residential, including but not limited to:

Single-family dwelling, duplex and multiple-family dwelling, apartments and flats	\$245.40 annually 20.45 monthly
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Retail commercial, including but not limited to:

Motels and hotels, commercial houses, office buildings, car washes and laundromats, restaurants (foods prepared off premises), food markets (with grinders) usage	2.43 per 100 cubic feet of water usage
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Restaurants: 3.44 per
100 cubic feet
of water usage

Supermarkets (with grinders): 3.43 per
100 cubic feet
of water usage

Institutional/public authorities,
including but not limited to:

Nursing homes, retirement
homes, sanitariums, gov- 2.43 per
ernment institutions, 100 cubic feet
schools of water usage

Industrial,
including but not limited:

Printed circuitry 1.94 per
100 cubic feet
of water usage

Water usage shall be defined as the average metered water usage during the months of December, January and February provided that the monthly charge of each dwelling or housing unit in the area of the City of Belmont from which sewage is discharged into the systems of San Mateo shall be at the rate charged by said City of San Mateo, payable to the City of Belmont for transmission to the City of San Mateo.

(Code 1961, § 22.50; Ord. No. 484, § 1, 5-22-72; Ord. No. 510, § 1, 5-14-73; Ord. No. 535, § 1, 4-22-74; Ord. No. 575, § 1, 6-22-76; Ord. No. 701, § 1, 6-9-82; Ord. No. 801, § 1, 7-26-86; Ord. No. 827, § 1, 7-10-90; Ord. No. 873, § 1, 7-13-93; Ord. No. 884, § 2, 7-12-94; Ord. No. 907, § 1 7-9-96; Ord. No. 917, § 1, 6-24-97; Ord. No. 930, § 1, 7-14-98)

Secs. 21-94—21-104. Reserved.

ARTICLE V. USE REGULATIONS

DIVISION 1. GENERALLY

Sec. 21-105. Purpose.

The purpose of this article is to establish standards and conditions, and to provide for

fees, relating to the use of sanitary sewerage facilities of the city. It is further the purpose of this article to establish uniform requirements for discharges into the wastewater collection and treatment system used jointly with other public entities as a party to the Joint Exercise of Powers Agreement establishing and providing for the Joint Powers Authority for the Strategic Consolidation Sewerage Plan, a public entity, and any successor thereto. It is further the purpose of this article to enable the city to comply with and meet applicable laws, regulations, standards and conditions established by federal and state law, or by agencies thereof in implementation of such law. The council of the city hereby finds and declares that the health, safety and welfare of the people of the city require the enactment of the provisions of this article. (Code 1961, § 22A.1; Ord. No. 566, § 1, 11-10-75)

Sec. 21-106. Terminology.

(a) *General.* Words, phrases or terms not specifically defined herein, and having a technical or specialized meaning, shall be defined as set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation. References to waste constituents and characteristics shall have the meanings ascribed thereto in the aforesaid "Standard Methods for the Examination of Water and Wastewater," and measurements thereof shall be as set forth in said publication or as established by federal or state regulatory agencies.

(b) *Specific definitions.* The following words or phrases wherever used in this chapter shall have the meanings respectively ascribed thereto as follows:

- (1) *Authority:* The Joint Powers Authority for the South Bayside System Authority, a public entity established by agreement between the Cities of San Carlos, Belmont, and Redwood City, California, and the Menlo Park Sanitary District (now named West Bay Sanitary District) dated November 13, 1975, and any successor entity thereof.
- (2) *Building sewer:* A sewer conveying wastewater from the premises of a user to the sewerage facilities.
- (3) *Beneficial uses:* Uses of the waters of the city or state which may or do require protection against quality degradation thereof, including but not necessarily limited to water used for domestic, municipal, agricultural and industrial uses, power generation, recreation, aesthetic enjoyment, or navigation purposes, or for the preservation and enhancement of fish, wildlife or other aquatic resources or reserves, and such other uses, both tangible or intangible, as are or may be specified by federal or state law as beneficial uses.
- (4) *Charge:* A rental or other charge established pursuant to this chapter for services and facilities furnished by the city to any premises in connection with the operation of the sewerage facilities.
- (5) *City:* The City of Belmont, a municipal corporation of the State of California.
- (6) *Compatible pollutant:* Biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, additional pollutants identified in the city's national pollutant discharge elimination system (NPDES) permit, and such other pollutants as may be designated by the director upon a finding by him that such pollutants are substantially treated and removed by the sewerage facilities.
- (7) *Contamination:* An impairment of the quality of the waters of the city or state by waste to a degree which creates a hazard to the public health. Contamination shall include any equivalent effect resulting from the disposal of wastewater whether or not waters of the city or state are affected thereby.
- (8) *Director:* The director of public works of the city, or his designees, including but not limited to duly authorized personnel of the authority.
- (9) *Holding tank waste:* Any waste from sewage or waste disposal holding tanks such as are associated with vessels, chemical toilets, campers, trailers, septic tanks, and vacuum pump tank trunks.
- (10) *Incompatible pollutant:* Any pollutant which is not a compatible pollutant.
- (11) *Interference:* An inhibition or disruption of the sewerage facilities, their treatment pro-

cesses or operations or their sludge processes, use or disposal which causes or significantly contributes to either a violation of the authority's NPDES permit or to the prevention of sewage sludge or disposed by the authority in accordance with the applicable state and federal statutory provisions and regulations or permits issued thereunder.

- (12) *Major contributing industry*: Any wastewater contributor identified in the Standard Industrial Classification (SIC) Manual, prepared and published by the Executive Office of Management and Budget of the United States, classified within divisions A, B, D, E and I therein, the wastewater of which has any one (1) or more of the following characteristics:
 - a. A discharge flow of fifty thousand (50,000) gallons or more per average work day (if seasonal, the average shall be based upon the seasonal discharge);
 - b. A flow or pollutant loading greater than five (5) percent of the design capacity of the sewerage facilities;
 - c. Toxic pollutants in amounts defined in standards issued pursuant to section 307(a) of the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500; 33 U.S.C. § 1151, et seq.);
 - d. A significant impact (determined by the director), either individually or in combination with other contributing industries, on the sewerage facilities, or upon the quality of effluent from the sewerage facilities.
- (13) *Mass emission rate*: The weight of material discharged to the sewerage facilities during a specified time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of a particular waste constituent or combination of constituents.
- (14) *Pass Through*: The discharge of pollutants through the sewerage facilities into navigable waters in quantities or concentrations which cause or significantly contribute to violation of the authority's NPDES permit.
- (15) *Person*: Any individual, firm, company, partnership, association, private corporation, public corporation, or governmental entity, authority or agency, and the officers, agents or employees of such organizations.
- (16) *Pollution*: An alteration of the quality of the waters of the city or state by waste to a degree which unreasonably affects such waters for any beneficial use or affects pollution. The term "pollution" may also include contamination.
- (17) *Premises*: A parcel of land, or portion thereof, including any improvements thereof, which is directly or indirectly connected to the sewerage facilities for purposes of receiving, using and paying for service, or other purposes relating to the sewerage facilities, by an individual user. Each dwelling unit of a duplex, apartment or any other multifamily residence shall be deemed a separate premises. Subject to the provisions of this section 21-106, the director shall determine what constitutes a premises.
- (18) *Reclaimed water*: Water which, as a result of treatment of waste, is suitable for direct beneficial use, or a restricted beneficial use, which would not otherwise occur but for such treatment.
- (19) *Requirement of law or other requirements of law* means any pertinent provisions of the Federal Water Pollution Control Act as amended by the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500, 33 U.S.C. § 1151 et seq.), or of any statute, ordinance, rule, regulation, order, directive, or of the city's or authority's National Pollutant Discharge Elimination System (NPDES) permit, or of any amendments thereto.
- (20) *Sewerage facilities*: Any or all devices, facilities, equipment, improvements or systems owned or used by the city or the authority in the collection, storage, treatment, recycling, reclamation or disposal of wastes or wastewater, including interceptor sewers, outfall sewers, or lines, sewage collection systems, pumps, power plants, treatment plants, recycling or reclamation plants, and other equipment and appurtenances thereto; extensions, improvements, remodeling, modifications, additions or alterations thereof; chemicals, materials or supplies used in connection therewith; or any other facilities, including land and improvements there-

on, which are an integral part of the treatment process of the city or the authority, or which are used for ultimate disposal of residues, effluent or discharges, resulting from such treatment, or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of wastes or wastewater, including storm water runoff, industrial wastes, domestic wastes or any combination thereof.

- (21) *Unpolluted water*: Water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to the city or authority for disposal to storm or natural drainages, or directly to surface waters.
- (22) *User*: Any person who discharges, causes or permits the discharge of wastewater into the sewerage facilities.
- (23) *User classification*: A classification of users based upon classifications set forth in the Standard Industrial Classification (SIC) Manual, 1972 Edition, prepared and published by the Executive Office of Management and Budget of the United States.
- (24) *Waste*: Sewage and any and all waste substances, whether liquid, solid, gaseous or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing or processing operation of whatever nature, including such waste placed within containers of whatever nature prior to, and for purposes of, disposal.
- (25) *Wastewater*: Waste and water, whether treated or untreated, discharged into or permitted to enter into the sewerage facilities.
- (26) *Wastewater constituents and characteristics*: The individual chemical, physical, bacteriological and radiological parameters, including volume and flow rate, and such other parameters that serve to define, classify or measure the contents, quality, quantity or strength of wastewater.
- (27) *Waters of the city or state*: Any water, whether surface or underground, and whether saline or nonsaline, within the boundaries of the city, or within the boundaries of the city and flowing into, touching or otherwise combined with waters outside the city but within the boundaries of the state. (Code

1961, § 22A.2; Ord. No. 566, § 1, 11-10-75; Ord. No. 715, § 1, 1-10-84)

Secs. 21-107—21-112. Reserved.

DIVISION 2. REPORTS, PERMITS AND ADMINISTRATION

Sec. 21-113. Discharge reports.

Upon a determination by the director that such information is necessary or appropriate for him reasonably to carry out the provisions of this article, he may require that any person discharging, causing to be discharged, permitting to be discharged, or proposing to discharge wastewater into the sewerage facilities shall file a periodic discharge report, the cost of which shall be borne by such person. Such report may include, but shall not necessarily be limited to, information relating to the nature of manufacturing, fabricating, or other processes, fresh or non-wastewater volumes, wastewater volumes, rates of flow, mass emission rates, production quantities, hours of operation, number and classification of employees, or other information relating to the generation of waste, including wastewater constituents and characteristics of the pertinent wastewater discharge. The director may also require that such reports include the chemical constituents and quantity of liquid or gaseous materials stored on the premises relating to such discharge, even though such materials are not normally discharged into, or become a part of the wastewater in, the sewerage